

REMARKS

Claims 29-55 are pending in this application. Claim 30 has been amended by this Amendment.

Supplemental Amendment

A Supplemental Amendment was filed on November 17, 2003. The Supplemental Amendment amended claims 29, 30 and 54, and also added new claim 55. The Office Action dated December 18, 2003 does not mention or respond to the Supplemental Amendment. It states that claims 29-54 are pending, when in fact claim 55 had been added by the Supplemental Amendment. It also apparent from the rejection of claims 29, 30 and 54 in the Office Action (addressed below) that the Office Action does not consider the claim amendments made by the Supplemental Amendment.

Applicants respectfully request that the Office Action be corrected or supplemented to include consideration of the Supplemental Amendment. Pursuant to MPEP 710.06, applicants further request that they be allowed a time period of at least one month to file any amendment or other response to such a corrected or supplemental Office Action.

Obviousness Rejections

The Office Action dated December 18, 2003 rejected claims 29-54 as being rendered obvious by prior art under 35 U.S.C. 103(a). (The Office Action did not consider claim 55.) Applicants respectfully traverse the obviousness rejections at least because they fail to establish a *prima facie* case that each and every one of the combination of features recited in the respective claims is suggested by the applied references.

Claims 29-54

Claim 29 is an independent claim directed to a method for performing charging in a telecommunications system. Claims 30-53 are dependent on claim 29. Claim 54 is an independent claim directed to a telecommunications system. The grounds for the obviousness

rejection of claims 29 and 54 is set forth in part 3 on pages 2-12 of the Office Action.

Specifically, the rejection asserts that the claims are rendered obvious by the network shown in Fig. 1 of WO 97/26739 to Kari et al. (this network hereafter referred to simply as "Kari") in view of WO 99/27723 to Nguyen et al. Applicants respectfully traverse the rejection at least because it fails to establish a *prima facie* case that each and every one of the combination of features recited in the respective claims is suggested by the applied references.

For example, claim 29 recites a first communication terminal operating in the telecommunications system and a packet data interface apparatus providing packet data communication services to the first terminal that is "capable of interfacing between the first communication terminal and a packet-switched data link to another communications terminal" and generates "charging messages indicative of the usage of the packet data communication services by the first terminal." Claim 29 also recites storing charging arrangement information indicative of the charging arrangement for the first communication terminal at a subscriber information store, transferring the charging arrangement information and storing it in the packet data interface apparatus, wherein the step of generating charging messages is "dependent on the charging arrangement information for the first communication terminal."

The rejection acknowledges that Kari does not store charging arrangement information indicative of the charging arrangement for the first communication terminal at a subscriber information store, but asserts that Kari does transfer and store the charging arrangement information for the first communication terminal in the packet data interface apparatus and that the generating of charging messages by the packet data interface apparatus is dependent on the charging arrangement information for the first communication terminal. However, the rejection is internally inconsistent and cannot be correct.

In claim 29, the recitation to "the charging arrangement information" in the steps of transferring and storing to the packet data interface apparatus is a reference to the charging arrangement information recited earlier in the claim, that is, to the charging arrangement information indicative of the charging arrangement stored in the subscriber information store. It therefore logically follows that, since Kari does not store charging arrangement information in the subscriber information store, then Kari cannot transfer such charging arrangement information to a packet data interface apparatus or anywhere else. The rejection cites the

sentence at pages 8, lines 6-9, of WO 97/26739 for these features. However, this sentence states merely that "user-related data transfer statistics, used for charging the user, are also collected mainly at the serving GPRS support nodes SGSN, and in the gateway GPRS support nodes GGSN." The user-related data statistics in this cited sentence are not charging arrangement information indicative of the charging arrangement for the first communication terminal, much less charging arrangement information stored in a subscriber information store and transferred to a packet data interface apparatus. Indeed, the subsequent sentence at lines 9-11 states that the information collected by the SGSN and the GGSN is concerned with network usage by the user and not with charging arrangement information.

Similar to the features addressed in the previous paragraph, the recitation to "the charging arrangement information" in the wherein clause stating that the generation of charging messages is dependent on the charging arrangement information is a reference to the charging arrangement information recited earlier in the claim, that is, to the charging arrangement information indicative of the charging arrangement for the terminal stored in the subscriber information store. It therefore logically follows that, since Kari does not store charging arrangement information in the subscriber information store, then the generation of charging messages in Kari cannot be dependent on such charging arrangement information. The rejection cites the sentences at pages 8, lines 11-17, of WO 97/26739 for these features. However, these sentences do not refer to the generation of charging messages and, as recognized in the rejection, do not suggest storing charging arrangement information in a subscriber information store.

Applicants also respectfully traverse the obviousness rejection of claim 29 insofar as it states that Kari discloses "generating by means of the packet data interface apparatus charging messages..." The rejection also cites the sentence at pages 8, lines 6-9, of WO 97/26739 for these features. Again, this sentence states merely that "user-related data transfer statistics, used for charging the user, are also collected mainly at the serving GPRS support nodes SGSN, and in the gateway GPRS support nodes GGSN." This sentence does not disclose the generation of charging messages by a packet data interface.

Claims 35-49, 51 and 52 are allowable for at least the same reasons as claim 29 since they are each dependent on claim 29. The language of claim 54 is substantially similar to the

language of claim 29 and claim 54 is thus allowable for substantially the same reasons as claim 29.

For at least the reasons stated above, applicants submit that the pending claims are allowable over the cited references. A Notice of Allowance is respectfully requested.

Please charge any fees which may be necessary for the consideration of this paper, to Deposit Account No. 02-4270 (Dkt. No. 6173/4001US) and please credit any excess fees to such deposit account.

Respectfully Submitted,



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